

THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:18-cv-00032-MR-DLH

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )                            ORDER  
                                  )  
SETH N. LACKEY,             )  
                                  )  
Defendant.                    )  
                                  )  
\_\_\_\_\_  
                                  )

**THIS MATTER** is before the Court on the *pro se* Defendant's Notice of Bankruptcy Filing [Doc. 5].

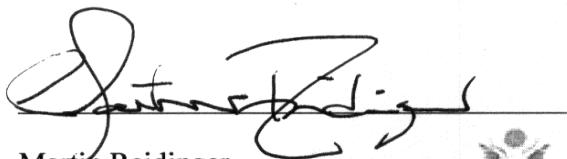
The Defendant has filed a notice with the Court that he has filed a bankruptcy case under Chapter 13 of the United States Bankruptcy Code. It is well-settled that “[w]hen litigation is pending against the debtor at the time a bankruptcy case is commenced, the litigation is stayed automatically.” 3 Collier on Bankruptcy ¶ 362.03[3] (16<sup>th</sup> ed. 2011); see also 11 U.S.C. § 362(a)(1) (providing that a bankruptcy petition operates as an automatic stay of “the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor”). Accordingly, the Court will stay this action pending the Defendant’s bankruptcy proceedings.

Accordingly, **IT IS, THEREFORE, ORDERED** that this action is hereby **STAYED** until further Order of the Court.

**IT IS FURTHER ORDERED** that the parties shall file a status report with the Court every ninety (90) days until such time as the bankruptcy matter is closed.

**IT IS SO ORDERED.**

Signed: June 1, 2018



\_\_\_\_\_  
Martin Reidinger  
United States District Judge

